

## REMARKS

By this response the specification and claims 1, 2, 4, and 5 have been amended. Claims 1-7 remain pending.

### Rejections under 35 USC §112

The amendments to the claims, and resulting amendments to the specification, comply with the Examiner's suggestion of denoting the mixture of helium and oxygen as "He-O<sub>2</sub>" rather than the original "HeO<sub>2</sub>."

The Examiner has indicated that claims 1 and 4 are confusing. It is believed the amendments to claims 1 and 4 more particularly point out and distinctly claim the subject matter which applicant regards as the invention, without further limiting the claims.

The Examiner states that the flow rate of He recited in claims 2 and 5 respectively conflict with claims 1 and 4 upon which they depend. However, as suggested in the specification (¶[0026], for example), three different gas flows are being introduced into the chamber in claims 2 and 5, while claims 1 and 4 recite only one gas flow. Claims 1 and 4 recite a 6 to 12 sccm flow of a mixture of helium and oxygen (He-O<sub>2</sub>), which in one embodiment comprises a mixture of 30% oxygen and 70% helium (¶[0024]). Claims 2 and 5 recite other flows, for example HBr at 50 sccm and helium at an additional 100 sccm. Thus claims 2 and 5 do not conflict with the claims from which they depend, but merely recite a flow of an additional gas (He) which is also present in a different gas mixture (He-O<sub>2</sub>) in the embodiment of the independent claims. Claims 2 and 5 have been amended to clarify the issue for the Examiner, and not to further limit the claims.

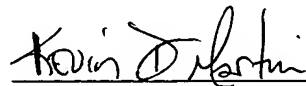
The Examiner also indicates that "lower power" and "upper power" should be amended to "anode power" and "cathode power." As "anode power" and "cathode power" are generally identified with older technology, specifically reactive ion etching, the terms "lower power" and "upper power" have been replaced in the claims with "bias power" and "TCP power." These terms are present in the specification as filed, for example at ¶[0019].

Thus it is submitted that the claims as amended are allowable under 35 USC §112.

## Conclusion

It is submitted that claims 1-7 are in condition for allowance. If there are any matters which may be resolved or clarified through a telephone call, the Examiner is cordially invited to contact the undersigned.

Respectfully submitted,



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